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47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Pete Campos

AN ACT

RELATING TO HEALTH INSURANCE; REQUIRING STANDARD COPAYMENTS ON  
PRESCRIPTION DRUG PURCHASES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 13, Article 7 NMSA  
1978 is enacted to read:

"[NEW MATERIAL] PRESCRIPTION DRUG COPAYMENTS. -- Any health  
care coverage, including any form of self-insurance, offered,  
issued or renewed under the Health Care Purchasing Act on or  
after July 1, 2005 that offers prescription drug coverage with  
copayments by the insured shall require that copayments be the  
same for any prescribed drug, in the same quantity and for the  
same duration, whether the prescription is dispensed by a  
retail pharmacy, by mail order or by any other means."

Section 2. A new section of Chapter 59A, Article 22 NMSA

underscored material = new  
[bracketed material] = delete

underscored material = new  
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1 1978 is enacted to read:

2 "[NEW MATERIAL] PRESCRIPTION DRUG COPAYMENTS. -- An  
3 individual or group hospital or medical expense insurance  
4 policy offered, issued or renewed in New Mexico on or after  
5 July 1, 2005 that offers prescription drug coverage with  
6 copayments by the insured shall require that copayments be the  
7 same for any prescribed drug, in the same quantity and for the  
8 same duration, whether the prescription is dispensed by a  
9 retail pharmacy, by mail order or by any other means. "

10 Section 3. A new section of Chapter 59A, Article 23 NMSA  
11 1978 is enacted to read:

12 "[NEW MATERIAL] PRESCRIPTION DRUG COPAYMENTS. -- Each group  
13 health insurance policy offered, issued or renewed in New  
14 Mexico on or after July 1, 2005 that offers prescription drug  
15 coverage with copayments by the insured shall require that  
16 copayments be the same for any prescribed drug, in the same  
17 quantity and for the same duration, whether the prescription is  
18 dispensed by a retail pharmacy, by mail order or by any other  
19 means. "

20 Section 4. A new section of Chapter 59A, Article 46 NMSA  
21 1978 is enacted to read:

22 "[NEW MATERIAL] PRESCRIPTION DRUG COPAYMENTS. -- All  
23 individual and group health maintenance organization contracts  
24 offered, issued or renewed in New Mexico on or after July 1,  
25 2005 that offer prescription drug coverage with copayments by

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1 the enrollee shall require that copayments be the same for any  
2 prescribed drug, in the same quantity and for the same  
3 duration, whether the prescription is dispensed by a retail  
4 pharmacy, by mail order or by any other means. "

5 Section 5. A new section of Chapter 59A, Article 47 NMSA  
6 1978 is enacted to read:

7 "[NEW MATERIAL] PRESCRIPTION DRUG COPAYMENTS. -- Any  
8 individual and group subscriber contracts offered, issued or  
9 renewed in New Mexico on or after July 1, 2005 that offer  
10 prescription drug coverage with copayments by the subscriber  
11 shall require that copayments be the same for any prescribed  
12 drug, in the same quantity and for the same duration, whether  
13 the prescription is dispensed by a retail pharmacy, by mail  
14 order or by any other means. "

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